

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

ANGEL DAVILA-PAGAN, : CIVIL ACTION
Plaintiff, :
: :
v. :
: :
MICHAEL ASTRUE, :
Commissioner of Social Security, :
Defendant. : No. 09-0971

O R D E R

AND NOW, this 27th day of October, upon consideration of Plaintiff Angel Davila-Pagan's Brief and Statement of Issues in Support of Plaintiff's Request for Review, Defendant's Response to Plaintiff's Request for Review, Plaintiff's Reply to Defendant's Response, and the Report & Recommendation of U.S. Magistrate Judge Henry Perkin, it is hereby **ORDERED** that:

1. The Report & Recommendation ("R&R") (Docket No. 16) is **APPROVED** and **ADOPTED**;
2. The relief sought by Plaintiff is **GRANTED in part** as set forth in Magistrate Judge Perkin's R&R;
3. The case is **REMANDED** to the Commissioner in accordance with the sixth sentence of 42 U.S.C. § 405(g) in accordance with the R&R;
4. In all other respects, Plaintiff's request for relief is **DENIED**; and
5. The Clerk of Court shall **CLOSE** this matter statistically.

BY THE COURT:

S/Gene E.K. Pratter
GENE E.K. PRATTER
UNITED STATES DISTRICT JUDGE